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Monitoring of the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities

Note by the Secretary-General

1. At its forty-eighth session, the General Assembly adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, contained in the annex to its resolution 48/96. These 22 rules provide a framework to further implement the goals of equality and full participation of persons with disabilities in social life and development as set forth in the World Programme of Action concerning Disabled Persons, adopted by the General Assembly in its resolution 37/52.

2. In section IV, paragraph 2, of the Standard Rules, it was stipulated that the rules should be monitored within the framework of the sessions of the Commission for Social Development. The appointment of a Special Rapporteur to monitor their implementation was also envisaged in that paragraph.

3. In March 1994, the Secretary-General appointed Bengt Lindqvist (Sweden) Special Rapporteur on Disability of the Commission for Social Development. Mr. Lindqvist prepared three reports for the consideration of the Commission during his mandate (see A/52/56, E/CN.5/2000/3 and Corr.1 and E/CN.5/2002/4),[1] which was renewed in 1997 and in 2000 by the Economic and Social Council in its resolutions 1997/19 and 2000/10, respectively.

* E/CN.5/2007/L.2.

[1] Available from the United Nations Enable website, at http://www.un.org/disabilities/.

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4. In June 2003, the Secretary-General appointed Sheikha Hessa Al-Thani (Qatar) Special Rapporteur for the period 2003-2005. The Special Rapporteur submitted an oral report to the Commission for Social Development at its forty-second session.[1] At its forty-third session, in February 2005, the Commission considered the report of the Special Rapporteur on the monitoring of the implementation of the Standard Rules during the 20 months since her appointment (see E/CN.5/2005/5).[1] By its resolution 2005/9, the Economic and Social Council welcomed the work of the Special Rapporteur, decided to renew her mandate through 31 December 2008, and requested the Special Rapporteur to submit to the Commission for Social Development an annual report on the monitoring of the implementation of the Standard Rules. At its forty-fourth session, in February 2006, the Commission considered the report of the Special Rapporteur on the monitoring of the implementation of the Standard Rules during the previous 12 months (see E/CN.5/2006/4).[1] The Secretary-General has the honour to transmit to the Commission the annual report of the Special Rapporteur.

Report of the Special Rapporteur on Disability of the Commission for Social Development on monitoring of the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities

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I. Introduction

1. This is my fourth report to the Commission for Social Development on the progress of Member States in the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96, annex); and the first year that I conduct my activities in the presence of the Convention on the Rights of Persons with Disabilities (General Assembly resolution 61/106, annex).

2. That Convention crowns decades of continuous work, concerted efforts and incremental achievements to place the rights of persons with disabilities and societies' response to those rights into a legal framework. It aims to institutionalize inclusive attitudes, unify values, guide practices, and direct responses to the needs and requirements of persons with disabilities in such a way that would reflect positively on their conditions, and contribute to ensuring human security and social harmony.

3. Persons with disabilities, their families, their communities and their supporters have been waiting too long for the right to access to appropriate and necessary services. The Convention marks the first time that the goal of full and equal participation and equality for persons with disabilities specifically will be legally sanctioned and protected by the international community.

4. The Convention also marks the first time that the concept of legal capacity on an equal basis with others for persons with disabilities is protected in an internationally legally binding document. This concept guarantees their equal recognition before the law, an enormous achievement for a segment of society that has been long marginalized, ignored and mistreated.

5. Since its adoption the Convention has been signed by more than 100 States, and its Optional Protocol (ibid., annex II) by more than half that number. The Convention has thus received less than 10 ratifications; I have little doubt, however, that before long all Member States will have signed and ratified this most important document.

6. Despite the indisputable importance of the Convention, however, the fact remains that its existence does not constitute an end to the march towards full transformation of ideas, attitudes, values, and behaviours towards persons with disabilities. That transformation will need to include the sustained efforts of all countries, in order to include human society in its entirety.

7. The world today needs to develop a shared and unified vision based on the principles of the Convention; to be enriched by its philosophy; to be aware of its implications; and to be able to make the commitment to its implementation. In other words, it is time now to move from celebration of the adoption of the Convention towards an implementation that will result in just and equitable societies. A Convention that lacks implementation mechanisms would be nothing more than a statement of good intentions; and the years spent in negotiating and drafting would be nothing more than wasted efforts.

8. The next phase is going to be a difficult one. In order to accept, sign, ratify, incorporate and implement the Convention, all partners and stakeholders — Governments, societies, communities, national and regional organizations, international development and funding agencies, activists, experts, academics, the

media and people at large — will need to work in tandem to create societies where equality of opportunities is available to all its members.

9. Awareness-raising and international cooperation constitute two of the priority actions required at this stage, in order to put an end to the discrimination against persons with disabilities, and to provide the necessary resources to countries sinking under the dual burdens of poverty and debt.

10. The Convention holds the promise of a world with more equality and less discrimination. It also creates opportunities for organizations of persons with disabilities to increase their capacity and effectiveness, and expand their roles in activities such as raising awareness; advocacy; lobbying their Governments; launching initiatives; providing technical expertise; strengthening their negotiation tactics; and creating alliances among organizations representing different types of disabilities.

11. It is significant to note that the Convention demonstrates that the rights of persons with disabilities cut across all human rights issues, and therefore, belong firmly under the purview of the Human Rights Council.

II. Activities and achievements

12. The past 12 months have been filled with activities in keeping with the mandate of the Special Rapporteur to monitor implementation of the Standard Rules for the Equalization of Opportunities for Persons with Disabilities, while remaining aware of the Convention on the Rights of Persons with Disabilities.

13. I would like to reiterate that based on my experience of the past five years, I believe in the complementary and symbiotic relationship between the Standard Rules and the Convention in preserving, protecting and enhancing the dignity, rights and quality of life for persons with disabilities. I see the Convention as a legal framework that delineates the rights of persons with disabilities and protects them, while the Standard Rules help to describe the specific target areas, procedures and mechanisms necessary to achieve equalization of opportunities.

14. Keeping that in mind and guided by my strategic plan, the activities of the past year focused on monitoring the implementation of the Standard Rules; urging their proper and more intensive implementation; advocating for the issues of persons with disabilities; and supporting all efforts aimed at effecting the kind of transformation sought after by the Standard Rules and the Convention.

15. In addition to continuing the work on analysing the second phase of the results of the Global Survey on Government Action on the Implementation of the Standard Rules, my activities during the past year were largely focused on awareness raising and advocacy around the following themes:

(a) Deepening awareness of the rights of persons with disabilities;

(b) Developing strong disability legislations at the national level;

(c) Urging Governments to sign and ratify the Convention;

(d) Increasing interregional cooperation;

(e) Supporting the activities of international disability organizations and federations;

(f) Ensuring that the work of international development agencies is targeted to persons with disabilities;

(g) Sustaining the spirit of cooperation and collaboration that prevailed during the negotiation and drafting of the Convention.

A. Deepening awareness of the rights of persons with disabilities

16. The adoption and subsequent signatures and ratifications of the Convention on the Rights of Persons with Disabilities and its Optional Protocol were the main and most important events to occur in the past year, prompting national, regional and international disability organizations to hold dozens of activities, events, meetings and conferences highlighting the importance, content, philosophy and implications of the Convention. I made it a point to participate in as many of those activities as possible, as follows:

(a) Panel of Experts Meeting, 28 and 29 January 2007, Doha;

(b) Launching the report on the Global Survey on Government Action on the Equalization of Opportunities for Persons with Disabilities, and the media awareness-raising campaign, 30 January 2007, Doha;

(c) Regional round-table meeting on disability issues, January 2007, United Arab Emirates;

(d) National meeting on the importance of disability statistics, January 2007, Doha, as part of the activities related to the national census in which the office of the Special Rapporteur was instrumental, including on questions on disability;

(e) Seminar on implementing the Convention on the Rights of Persons with Disabilities, sponsored by Rehabilitation International, January 2007, New York;

(f) Regular attendance, whenever possible, of the meetings on the National Disability Strategy, Doha;

(g) Presenting the report on monitoring the implementation of the Standard Rules to the Commission for Social Development at its forty-fifth session, February 2007, New York;

(h) Press conference at United Nations Headquarters on the launch of the Global Survey, February 2007;

(i) Third Arab Parliamentary Symposium on Disability Legislations, March 2007, Sana'a;

(j) Statement and panel discussion at the special event on the Convention on the Rights of Persons with Disabilities, at the fourth session of the Human Rights Council, 26 March 2007, Geneva;

(k) Statement at the signing ceremony of the Convention on the Rights of Persons with Disabilities, 30 March 2007, New York;

(l) Statement on ensuring right of education for persons with disabilities, at the UNESCO Conference on Literacy Challenges in the Arab Region, March 2007, Doha;

(m) Sixth session of the Committee for Social Development of the Economic and Social Council for Western Asia (ESCWA), March 2007, Amman;

(n) Second International Forum for Children with Special Needs, April 2007, Doha;

(o) Third Special Education Conference, Qatar University, April 2007;

(p) Statement on the need to include persons with disabilities, and safeguard their political rights, at the second Meeting on Democracy and Political Reform in the Arab Region, May 2007, Doha;

(q) Field visit to Rmeila Hospital and Rehabilitation Centre, May 2007, Doha;

(r) Fourth Parliamentary Symposium on Disability Legislation in the Arab region, Morocco, 7-9 July 2007;

(s) Disabled Peoples International World Assembly, Seoul, September 2007;

(t) Rehabilitation International General Assembly, Djerba, Tunisia, 23-28 October 2007;

(u) Second International Conference on Intellectual Disabilities and Mental Retardation sponsored by the World Health Organization, Bangkok, November 2007;

(v) Country visits planned for Thailand and India in November 2007 and January 2008.

17. In order to promote and support the Convention, I wrote a number of articles that were published in newspapers, magazines and journals in Europe and the Arab region. I was also a guest on a number of television shows on satellite channels (Al-Jazeera, Lebanese Broadcasting Corporation, Qatar television, Moroccan television and Yemeni television), as well as radio call-in shows; and I conducted a number of newspaper and magazine interviews for English and Arabic language publications.

18. Additionally, my office sponsored and supported the production of awareness-raising television spots and short films as part of the awareness-raising media campaign about the difficulties, dangers and violations that persons with disabilities in particular are exposed to in times of armed conflict and wars. The films featured persons with disabilities in Iraq, Lebanon, Yemen, Palestine, and Sarajevo. The films will be launched in January 2008 in English and Arabic.

19. My office has also continued an awareness-raising media campaign to draw attention to, and raise awareness of, the different forms of prejudice and discrimination experienced by children and women with disabilities. The campaign, sponsored by the office of the Special Rapporteur, was launched in January 2007, and included nine 1-minute television spots, two short films and a video clip dealing with all types of disabilities under the theme "Difference is natural". The launching of the campaign was attended by representatives of more than 100 disability organizations from all over the world, as well as the members of the Panel of

Experts and included a press conference at which the Panel members made short presentations and responded to journalists questions.

20. The films have been distributed to disability organizations around the world and have been used in awareness-raising campaigns in Kuwait, Nigeria, Sweden and the United Arab Emirates, to name a few, and were screened on national television in a number of countries, as well as at the parliamentary symposiums organized by the office of the Special Rapporteur. The films are available from the office of the Special Rapporteur, free of charge, to persons with disabilities and their organizations upon request.

B. Developing disability legislation

21. Collaboration with the Federation of Arab Parliaments continued for the third year in the area of developing, reviewing and strengthening disability legislation in the Arab region. This initiative started following the success in persuading the Federation to form a specialized committee to deal with the issues of persons with disabilities, at the legislative level, and involved building the capacity of Arab parliamentarians, deepening their understanding of the issues, and raising their awareness of those issues as human rights, in order to incorporate them into national legislations. The programme comprises 14 symposiums to be held in 14 countries with the participation of representatives of Arab parliaments and legislative councils and organizations of persons with disabilities.

22. In addition to the two symposiums held in 2005, two symposiums were held in 2007, in Yemen in March and in Morocco in July, in collaboration with the parliaments and legislative councils of those countries.

23. The Yemen symposium focused on rule 5 of the Standard Rules and dealt with accessibility in all its forms, from the physical environment to information, accessibility codes and measures, and the status of accessibility legislations in the Arab countries. Some 50 parliamentarians and legislators from 19 Arab countries participated in the symposium, as well as representatives of organizations of persons with disabilities in the region. The symposium also included personal testimonies from persons with disabilities about their experiences, the difficulties they face in an inaccessible environment, identification of the obstacles from their point of view and recommendations on what needs to be done to create a barrier-free environment that will contribute to the equalization of opportunities.

24. The Morocco symposium, hosted by the Moroccan House of Representatives, included representation from 16 Arab parliaments and legislative councils as well as representatives of organizations of persons with disabilities in the Arab region. It focused on rehabilitation as illustrated by rule 3 of the Standard Rules and habilitation and rehabilitation as they appear in the Convention. The programme included a presentation on rehabilitation conditions in the Arab countries as illustrated by the responses they gave to the Global Survey. It also included personal testimonies from persons with disabilities regarding their needs and their rights to rehabilitation.

25. The parliamentary symposiums have been very well received by both parliamentarians and organizations of persons with disabilities in the Arab region, and have attracted the attention of both in other regions. The parliamentary process

constitutes the ideal approach to social transformation, as it deals with changing attitudes and implementing change through legislations; this is particularly true following the adoption of the Convention, as it is imperative to incorporate the Convention's articles into the national legislations of States parties.

26. Many groups have expressed interest in adapting the idea of the symposiums to their own awareness-raising activities, particularly since the format and themes promote an environment conducive to an open, honest and rich dialogue between legislators and persons with disabilities. A meeting was held with a Mexican Member of Parliament who expressed interest in floating the idea to her colleagues; a number of organizations of persons with disabilities in Latin America have also been considering a campaign along those lines; and the Citizens with Disabilities in Nigeria have been sent the concept paper and format of the symposiums upon their request.

C. Advocacy and support

27. Throughout the past year, I have made a point in all my meetings with Government officials and decision makers in all parts of the world, to promote the Convention and encourage countries to sign and ratify it, incorporate its articles into their national legislations, adopt national action plans and carry out programmes. It was particularly gratifying that Yemen's signing of the Convention occurred at the same time that the parliamentary symposium was taking place in that country.

28. To that end, I have written letters to heads of State, relevant Government officials and ambassadors urging them to sign and ratify the Convention along with its optional protocol and begin implementing its articles. I made a point of promoting the Optional Protocol particularly with representatives of the countries that expressed reservations to it.

29. I have also attempted to ensure that children, women and all persons with disabilities generally are not forgotten on international occasions such as the International Day of the Child, International Women's Day, and the International Day of the Family (the theme of which for 2007 was "Families and persons with disabilities").

D. Interregional and intraregional cooperation

30. Throughout the past four years it has been important to me to facilitate, encourage, maintain and nurture relationships at the interregional and intraregional levels between organizations of persons with disabilities, international funding agencies, experts in the field, Government officials, experts in the field and other concerned parties.

31. The office of the Special Rapporteur has become an information resource and a liaison office for many in the field. During the past year the office received a record number of calls and correspondence requesting connections, contacts, recommendations and information.

32. In the interest of maintaining relations with Governments and keeping the issues alive in their minds, Government representatives were invited to attend the launch of the Global Survey results. Over 45 ambassadors attended the launch,

where they listened to a presentation about the mandate, strategy and work of the Special Rapporteur and of the results of the Global Survey analysis.

33. On a more local level, the office of the Special Rapporteur was able to make successful connection between an organization of women with disabilities in Palestine and international donors, as well as between an organization for blind persons in Yemen and donors in Qatar.

34. The office of the Special Rapporteur was also able to make a number of successful recommendations regarding experts, technical expertise and facilitating contacts and networking, as well as to recommend, comment on, offer technical suggestions or advice on projects, programmes and other activities.

E. Supporting the activities of international organizations and federations of persons with disabilities

35. I keep abreast of, and attend, whenever possible, the activities, meetings and assemblies being organized by the international disability movement through their different organizations and federations. Additionally, in organizing the annual meeting of the Panel of Experts, I endeavour to ensure that it coincides with other events in order to maximize networking and exchange. Therefore, the Panel of Experts meeting in January 2007 in Doha was held in conjunction with the launching of the awareness-raising media campaign under the theme "Difference is natural", and the press conference to launch the publication of the results of the Global Survey on Government Action on the Implementation of the Standard Rules.

36. The meeting and accompanying events were also an opportunity for the members of the Panel of Experts to visit disability organizations, educational facilities and rehabilitation centres in Doha and offer their expert advice and opinion to the persons with disabilities, their families and communities.

37. The World Assembly of Disabled Persons International, held in Seoul in September, under the theme "Our Convention, our rights, for all" was another valuable opportunity for networking. It was a pleasure for me to meet with the representatives of Korean and Asian organizations for women with disabilities as well as many of those who were instrumental in lobbying for the inclusion in the Convention of Article 6 on women with disabilities.

38. It was also an honour to present the closing keynote address in which I presented some of the findings from phase two of the analysis of the Global Survey results. I also spoke of the organic relationship between the Convention and the Standard Rules, and my view of the Standard Rules as a procedural guide of measures that need to be taken within any society to remove the barriers and obstacles to equalization of opportunities and full participation for persons with disabilities. I also stressed the importance of continuing to work with the Standard Rules and to advocate for their implementation at the same time as promoting and working with the Convention.

39. It is important to note that there was a large participation of representatives of organizations of persons with disabilities from developing countries at the World Assembly of Disabled Persons International, which coincides with the notable growth and increase in the activities of these organizations globally. This was clearly reflected in the fact that the majority of the seats on the Disabled Persons

International Executive Council were filled by the representatives from Africa, Asia and Latin America.

F. Ensuring that disability issues are on the agenda of international development organizations

40. I participated in a number of meetings held by international development organizations and agencies. These included meetings organized by WHO and the annual meeting of ESCWA.

41. In March I presented a statement at the fourth session of the Human Rights Council in Geneva, at the special event on the Convention. Once again I recommended developing strong mechanisms to monitor the implementation of the Convention; and strongly conveyed to the Council the request of organizations of persons with disabilities that the Convention be placed in the purview of the Human Rights Council and that persons with disabilities be represented on any monitoring structure.

42. In February I participated in a press conference at the United Nations to report on the results of the Global Survey. The press conference was widely publicized and generated a great deal of interest in the issues covered by the Survey.

43. An important aspect of the advocacy work that I do has been directed at the regional and international development and human rights agencies to ensure that the issues of persons with disabilities and their rights remain on the priority list of these organizations' agendas.

G. Sustaining the spirit of collaboration and cooperation

44. The negotiation and drafting process that led to the Convention was instrumental in generating new confidence among organizations of persons with disabilities in their ability to bring about change, and in the effectiveness of their lobbying mechanisms in influencing government positions in order to adopt equalization policies. The experience has also confirmed to those organizations the importance of the alliances that were formed and the value of collaboration across disability lines. Organizations of persons with disabilities around the globe have become more confident and more vocal as a result of that experience. This has been clearly illustrated in many of the meetings I attended in the past year, particularly in developing countries. It was also clear during the parliamentary symposiums that were held in Yemen and Morocco, in which persons with disabilities were vocal about their issues, their hardships and their rights using persuasive negotiation tactics. This was also reflected in the Disabled Persons International World Assembly in Seoul.

45. This positive change constitutes a resource that should be cultivated and sustained during the implementation of the Convention. It is important at this stage to begin forming strong, effective organizations of persons with disabilities in those countries that lack them; to encourage the further formation of coalitions and federations and to support existing ones; and to continue to build the capacity of organizations to promote and monitor the Convention.

46. Related to the issue of the growing strength and confidence of persons with disabilities, I have observed an increased visibility of persons with disabilities in public arenas and at events that are not necessarily disability-related. This was especially evident in developing countries where persons with disabilities were previously invisible. Examples include musicians with disabilities performing in orchestras or ensembles made up primarily of musicians without disabilities; persons with disabilities active in environmental non-governmental organizations that do not work on disability issues; as well as increased visibility in public spaces such as shopping malls and restaurants in Doha, or political rallies and theatrical performances in Beirut. This may also be attributed to increased social awareness, and therefore, more acceptance of persons with disabilities, and the slight increase in accessibility that has been observed in many of these countries.

III. Phase two of the analysis of the results of the Global Survey

47. In addition to the publication in January 2007 of phase one of the report on the results of the Global Survey, which were presented to the Commission at its forty-fifth session in February, work continued throughout the year on phase two of the analysis.

48. Phase two looks at the discrepancies and similarities in implementation across the globe, as well as the extent and coverage of the implementation of each of the rules, in addition to a comparative analysis between the responses obtained from organizations of persons with disabilities and Governments from a sample of 28 countries or areas in which Governments and disabled persons organizations responded to the Survey. Moreover, phase two will include an analysis of the comments and remarks made by the respondents.

49. The results revealed a great discrepancy in implementation between regions as well as between Governments and organizations of persons with disabilities. However, the results were consistent with the social, economic and developmental realities of each region. A summary of these findings is included in the present report; the full findings will be published in January 2008.

50. Results revealed that for each of the 114 countries or areas that responded to the Survey, at least one or more of the 324 measures necessary for the fulfilment of their commitment to the equalization of opportunities has been implemented. The lowest number of measures implemented was 4 out of 324 and the highest was at 319 measures out of 324, that is, an implementation rate of 1.2 per cent and 98.5 per cent, respectively, revealing a discrepancy in implementation of approximately 97 per cent.

51. When considering the sum of all measures implemented by the 114 countries and dividing that by the number of countries, the result was a total of 162 measures implemented globally, or a 50 per cent implementation rate. European countries registered the highest rate of implementation among the world's five regions, at a rate of 66 per cent, followed closely by the Arab region, at 61 per cent, the Asia-Pacific region, at 50 per cent, Africa, at 37 per cent and Latin America, at 33 per cent.

52. It is important to note here that these results are based on self-reporting by countries, and it should be kept in mind that there are a number of factors that influence the accuracy of the results. Chief among them are: the level of awareness of the issues among those responding to the Survey; the natural tendency among some to inflate or deflate the information they are providing, depending on their particular position, situation and point of view; and the desire among some to present a more positive picture (or a more negative one, as the case may be) about the situation of persons with disabilities in their countries.

53. The analysis is based on responses from both Governments and organizations of persons with disabilities, which one can expect to result in a natural divergence in opinions and perceptions.

54. A wide discrepancy was observed between the perception of Governments and that of organizations of persons with disabilities. The widest discrepancy was observed in Latin America, at 34.4 per cent difference; followed by Asia, at 33.6 per cent; while Africa and the Arab region registered 25.9 per cent and 24.3 per cent discrepancy, respectively. Finally the narrowest gap between Governments and organizations of persons with disabilities was registered in Europe, at 6.1 per cent.

55. In general, Governments reported a higher number of measures implemented than did organizations of persons with disabilities, with the exception of 3 measures out of 324, in which organizations of persons with disabilities registered higher. (Those measures are: financial compensation to persons with disabilities by on-the-job accidents; the scope and coverage of statistical data; the involvement of organizations of persons with disabilities in awareness-raising programmes.)

56. Most countries indicated the absence of legislation necessary for the provision of services that preserve the dignity and protect the rights of persons with disabilities and ensure equality of opportunities and full participation.

57. In most countries both Governments and organizations of persons with disabilities agree on the contributions of organizations of persons with disabilities as experts and advisors in determining implementation measures and procedures.

58. Most countries indicated the absence of necessary financial resources to implement the measures identified by the Standard Rules, which indicates a gap between the moral commitment and political will, and the measures which are actually implemented. That result is borne out by observation in many of the countries that I have visited where Government officials voiced their commitment and exhibited an understanding of what needs to be done, but were unable to back it up by allocating resources, training personnel or enacting legislation.

59. Despite the discrepancy in implementation between the different regions, there was a marked consistency in the level of difference regardless of the type of measure being referred to.

60. Analysis of the responses of Governments versus those of organizations of persons with disabilities is based on a sample of 28 countries or areas in which both responded and which represents all five regions.

61. The sample comprises 28 countries or areas, as follows: Austria, Finland, Ireland, Italy, Malta, Norway, Poland, Portugal, the Russian Federation, Slovakia and Sweden from the European region; Botswana, the Democratic Republic of the

Congo, Eritrea, Namibia and the United Republic of Tanzania from the African region; Algeria, Jordan, Morocco, Yemen and Palestine from the Arab region; Mongolia, Nepal, the Republic of Korea and Samoa from the Asian region; and Belize, El Salvador and Guyana from the Latin American region.

62. In 22 of the 28 countries or areas sampled, Governments reported having implemented more measures than the organizations of persons with disabilities reported. In 6 of those 28 countries or areas, organizations of persons with disabilities reported more measures implemented than did Governments, with a rate of discrepancy between the responses as follows: 51.1 per cent in Malta; 49.6 per cent in Portugal; 29 per cent in the Republic of Korea; 20.4 per cent in Finland; 3.7 per cent in Morocco; and 2.3 per cent in Sweden. This discrepancy may be attributed to a number of factors such as the strength of the organizations of persons with disabilities and the depth of their knowledge; the nature of their relationship with Governments; the ideology they embrace; among others.

63. Most countries or areas lack mechanisms for monitoring implementation, registering complaints, or redressing violations, which impacts negatively on the rights of persons with disabilities.

IV. Recommendations

64. The following are my recommendations as we move forward this year:

A. Continuing applicability of the Standard Rules in improving the lives of persons with disabilities

65. It has always been my conviction that the full implementation of the Standard Rules for the Equalization of Opportunities for Persons with Disabilities is essential to the enjoyment of basic rights and freedoms and full participation for persons with disabilities. The Standard Rules constitute a set of clear guidelines and procedures which complement perfectly the articles of the Convention on the Rights of Persons with Disabilities.

66. **It is my recommendation, therefore, that the Standard Rules coexist alongside the Convention in all activities relating to the enjoyment and exercise of rights for persons with disabilities. The legally binding nature of the Convention and the procedural and methodological nature of the Standard Rules are essential elements in the struggle for rights and recognition.**

B. National monitoring mechanisms

67. Regardless of how many States sign, ratify and commit to implementation of the articles of the Convention and its Optional Protocol, without the proper national monitoring mechanisms to ensure implementation and without procedures to investigate and redress violations to and abuse of the rights of persons with disabilities, the Convention on the Rights of Persons with Disabilities will not achieve the desired protection of those rights or the preservation of the dignity of persons with disabilities.

68. **Therefore, I recommend that all States parties to the Convention begin, immediately upon ratification, setting up the necessary systems and accompanying mechanisms to monitor implementation and remedy violations, while at the same time raising awareness of the Convention and its articles, at all levels of society.**

69. **I further recommend that the monitoring systems and structures include persons with disabilities who themselves are the best experts of what constitutes violations of their rights. I am certain that there is no country in the world in which there is a shortage of persons with disabilities who are active advocates for their rights. The pool of expertise is wide and the choices are many.**

C. Information and statistics on disability

70. **The importance of having accurate disaggregated information on the size, scope, types, causes, geographical distribution and concentration of disability and division by age, gender, socio-economic conditions cannot be over emphasized. National censuses should also include detailed information on disability and persons with disabilities. However, in many countries national censuses would not be enough to present an accurate picture of disability, as people tend to hide the existence of disability in their families. Concerted efforts need to be made by Governments to obtain the accurate information upon which they can base policy decision, make financial allocations, and deliver appropriate services.**

71. **It is my hope that the information gleaned from the Global Survey on Government Action on the Implementation of the Standard Rules, conducted by my office, will be used by Governments, activists, experts alike, and will form the basis for further investigation and advocacy.**

D. International cooperation

72. **The Convention on the Rights of Persons with Disabilities is the embodiment of a new international culture based on non-discrimination and the respect for all human beings, regardless of ability. Becoming States parties to the Convention means that countries have ascribed to this culture and committed to its implementation on the ground. International cooperation is an essential ingredient in implementing and universalizing this culture. Countries should commit to the exchange of ideas, practices, expertise, in addition to international financial aid.**

73. **Cooperation on these issues should also take place at the interregional level where countries should include Governments and organizations of persons with disabilities.**

74. **I would, therefore, recommend that the spirit of cooperation and collaboration that prevailed during the negotiation and drafting of the Convention be extended to its implementation in a continuous effort to exchange best practices able to nurture and disseminate this new culture.**